

## SENATE BILL NO. 297

INTRODUCED BY J. ELLIOTT

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING THE MINIMUM MONTHLY BENEFIT PAID TO RETIRED MEMBERS OF THE MONTANA HIGHWAY PATROL OFFICERS' RETIREMENT SYSTEM OR THEIR BENEFICIARIES FROM ONE BASED UPON THE SALARY OF A PROBATIONARY PATROL OFFICER TO ONE BASED UPON THE RANK OF THE MEMBER AT THE TIME THAT THE MEMBER RETIRED; AMENDING SECTION 19-6-707, MCA; AND PROVIDING AN EFFECTIVE DATE AND AN APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 19-6-707, MCA, is amended to read:

**"19-6-707. Minimum monthly benefit.** (1) Subject to the limitations contained in subsection (2), the following retired members, or their survivors, who are not covered by 19-6-710 are eligible to receive a monthly benefit of not less than 2% multiplied by the member's service credits multiplied by the current base compensation received by a ~~probationary~~ highway patrol officer of the rank at which the member retired:

(a) a retired member who is 55 years of age or older, except as provided in subsection (3), or the member's survivor, who is receiving a service retirement benefit;

(b) a retired member, or the member's survivor, who is receiving a disability retirement benefit; and

(c) a recipient of a survivorship benefit.

(2) (a) The maximum monthly benefit paid under subsection (1) may not exceed 60% of the current base compensation of a ~~probationary~~ highway patrol officer of the rank at which the member retired.

(b) The annual increase in a monthly benefit under subsection (1) may not exceed 5% of the current monthly benefit paid to a retired member or the member's survivor.

(3) A retired member otherwise qualified under subsection (1)(a) who is employed in a position covered by a retirement system under Title 19 is ineligible to receive the minimum monthly benefit provided for in this section until the member's service in the covered position is terminated."

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2        NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2001.

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4        NEW SECTION. **Section 3. Applicability.** [This act] applies to a member who retires before, on,  
5 or after July 1, 2001.

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